

STEAMER TABLE.	
From San Francisco—	
Alameda	Aug. 29
Korea	Sept. 6
For San Francisco—	
Alameda	Sept. 3
China	Sept. 5
For Victoria—	
Monta	Sept. 24
From Victoria—	
Miwera	Aug. 30

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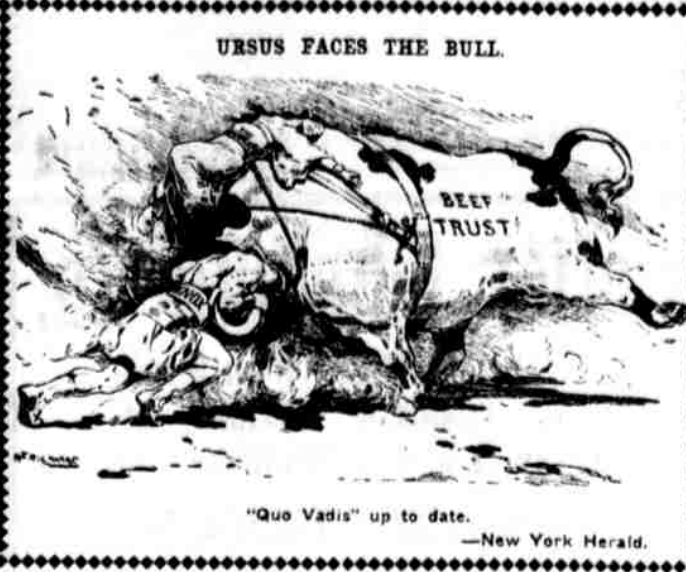
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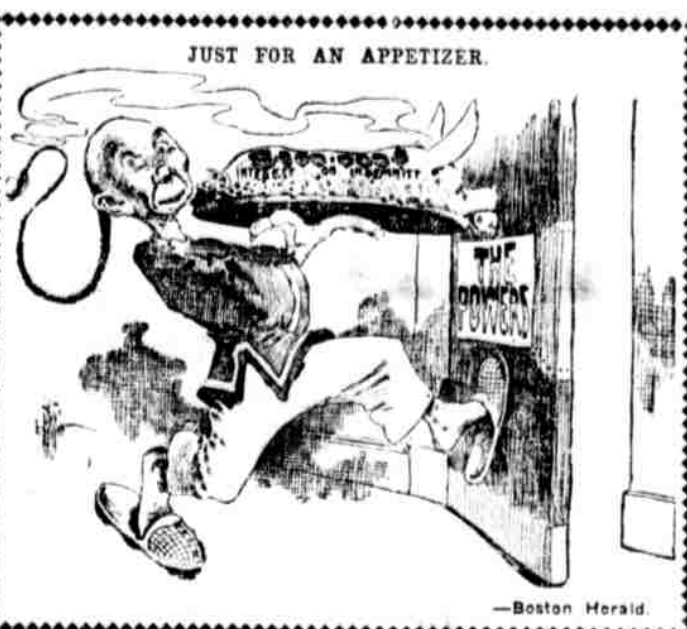
VOL. XII. No. 2237. HONOLULU, TERRITORY OF HAWAII, FRIDAY, AUGUST 29, 1902. PRICE 5 CENTS.



Kilauea Lake Is a Magnificent Display

(By Wireless Telegraph.)

Waldron says the largest since '55. The lava lake is 400 feet higher, 1,000 feet, the rims with lava geysers shooting up, making magnificent fireworks. The smoke in the pit has disappeared, leaving a clear view of the volcanic display. The lava boils up from the bottom of the crater and is pouring in from the sides as in June. Every night since Monday the same flow has been in evidence. The light on the clouds can be seen at Hilo. The volcano is described in one word—magnificent.



SPEEDY TRIALS ARE DEMANDED

Deputy Attorney General Takes Issue With Judge Gear.

MOTION FOR CONTINUANCE OF CRIMINAL CASES

ATTORNEYS FOR MANY ACCUSED PERSONS OF ONE MIND IN INSISTING ON CONSTITUTIONAL RIGHT.

The constitutional right of persons accused of crime to a fair and speedy trial was pleaded in a host of cases before Judge Gear this morning. About a score of defendants to indictments were in court, and as the cases were called the attorneys with one consent announced their ready and demanded a speedy trial.

Deputy Attorney General Cathcart at first began moving for continuances individually, but after some conversational debate with the Court, other counsel chipping in as they were interested, he read a list of thirty-three cases and moved that they be continued to the November term. His reason was that there was no jury to try them this term.

"It seems to me," said Judge Gear early in the controversy, "that if they can get a jury in November they can get one now."

H. W. Robinson had a client whose trial had been continued from the May to the August term and who had been in jail all those months.

Messrs. Brooks and McClanahan represented the Territory in one case, and Mr. Thompson for the defense quoted Mr. Brooks as defending counsel in another case in demanding a speedy trial.

After a lot of individual cases had been called, Judge Gear said: "It seems to be the consensus of opinion of members of the Bar that these defendants are entitled to a speedy trial."

Mr. Cathcart answered: "As one member of the Bar I concur in that opinion, but claim that a trial at the November term would be a speedy one under the circumstances." In answer to a query from the Court he gave his reason as being the principle that the interests of the many—namely, the public—are superior to the interests of the few. When asked why he thought a jury would be obtainable in November, the Deputy Attorney General said he had an idea that the presiding Judge then might take a different view from that held by the present Court. He did not know what ground the Court had for assuming that there would be no jury in November.

"I know, Mr. Cathcart," rejoined the Court, "that there is no jury here today. I know that the reason is that there is no fund to pay a jury. I want to know what reason the Attorney General's department has for presuming that there will be a jury in November. I have no idea that the new First Judge will take a different view and presume that he can procure a jury without authority of law. The Constitution is very strong on the right of a defendant to a speedy trial. It even goes so far as to forbid the waiving of that right by a citizen."

Mr. Cathcart said his reason for asking continuances was that there was

no court properly constituted to try the cases.

Conversation proceeded on the matter of the Court's right to try jury-waived cases, raised by Mr. Cathcart, the Court saying it was because no other cases could be tried.

Mr. Cathcart then made his omnibus motion covering thirty-three cases.

Mr. De Bolt, when it came to one of his cases, said: "I am ready and, in behalf of my client, I demand that the Attorney General call a jury. My client is entitled to a speedy trial under the Constitution."

Mr. Cathcart laughed at the proposition that the Attorney General should call a jury and went on to say that the presiding Judge at next term might take the position that he was empowered to summon a jury without reference to their being paid or not. He did not know how the present three Judges stood on the question.

Judge Gear informed him that Judge Humphreys held that under the common law a Judge had power to compel the attendance of a jury.

"It is to be hoped his successor will be of the same opinion," remarked Mr. Cathcart.

To get the whole matter on record, Judge Gear had the thirty-three cases called from the beginning, directing the stenographer to take down the objections of counsel to the motion for continuance.

Mr. Reynolds, attorney for George Ferris, charged with murder, not only demanded a speedy trial, but noted exceptions to the order of the Court regarding a jury for the August term. His client was a stranger without money, whose witnesses were here now but would probably be absent in November. Article 6 of the Constitution gave him the right to a speedy trial. The Judiciary had nothing to do with the ways and means of the administration of justice.

"They may have something to do with us," interjected the Court.

Continuing, Mr. Reynolds said there were citizens who were not looking for the fees in jury service. That was the class of jurors they wanted to try this case. The Territory had its own witnesses secured in jail.

Finally, Judge Gear reserved his ruling on the motion until tomorrow morning.

MUSIC AT WAIKIKI INN.

The band concert at the Waikiki Inn last night was a pronounced success, the general public turning out to head the music which always seems to sound better when near the roaring of the waves. Every chair in the place was set out for the crowds that attended, even those in the rooms of the guests of the popular beach resort, being used. Mr. Dee was everywhere looking out for his guests and the consequence was that everyone felt at home and so enjoyed the evening much more. The band boys seemed to enter into the spirit of the occasion and played as if they really took pleasure in it. There was a sigh of regret from the large crowd when "The Star Spangled Banner" was played and many lingered long after the music had ceased to enjoy the exhilarating influence of the salt air and the fresh breezes from the mountains.

ADVERTISER ACCURACY.

From the Advertiser: "The Grand Jury reported in court shortly after 10 o'clock yesterday morning and the first few lines of the report were read by Clerk Loucks, who was soon relieved by Judge Gear."

From the Grand Jury minutes:

"Aug. 28, '02. Jury met at 10 a. m. All present. After preparing the final report for presentation to the court an adjournment was taken till 2 o'clock p. m."

"Afternoon session. Met at 2 p. m. All present. Final report handed to Judge Gear."

The Bulletin, 75 cents per month.

OBJECT TO THE FEES

APPEALS ARE TAKEN FROM JUDGE HUMPHREYS

MOTION TO VACATE AN ORDER IN LANAI CASE—ACCOUNTS OF GUARDIAN ARE APPROVED.

In the suit of Bishop & Co. against W. H. Pain and others the plaintiffs by their attorneys, Holmes & Stanley, have filed a motion to vacate order vacating service on Talula L. Hayselden, defendant, on the following ground:

"That the said order was made by this honorable court through inadvertence and mistake, the said Talula L. Hayselden, defendant, having prior to the making of the said order made a general appearance in the said cause through her attorneys, Messrs. Creighton and Correa, and having submitted herself to the jurisdiction of this court."

The Oahu Railway and Land Company by its attorney, Cecil Brown, has made a general denial to the complaint in ejectment of Julia A. Patey.

Holmes & Stanley for plaintiff in the bill for foreclosure of mortgage of Samuel C. Allen vs. Thomas R. Lucas and others have appealed to the Supreme Court from the order of Judge Humphreys allowing E. M. Watson \$75 and J. J. Dunne \$50 for services as guardians ad litem of minors in the case.

As attorneys for plaintiff in the action to quiet title of Samuel C. Allen vs. George W. Lucas and others by their guardians, the same attorneys have filed exceptions to the order of Judge Humphreys sustaining the demurrer of defendants and ordering the plaintiff to pay costs and counsel fees of \$75 and \$50 respectively to E. M. Watson and J. J. Dunne.

Judge Humphreys approved the first account of J. K. Prendergast, guardian of the property of Kala Kahu, a minor, and allowed a master's fee of \$15 to P. Dawson Kellett Jr.

THE CAFE ROYAL

The Cafe Royal is the latest and it is really one of the neatest places of the kind in the city. It is not very large, neither is it pretentious, but it is neat, clean, airy and comfortable and when it opens tomorrow people may secure anything in the line of eatables that is to be found in any of the best restaurants of the city. It is right next to the Progress saloon at the corner of King and Maunakea streets and its entrance is on the former thoroughfare. It is for ladies and gentlemen both and first class service is guaranteed. Thomas F. McTigue, the proprietor, has seen to it that the best chefs in town are in the culinary department and the waiters will be the best to be had.

The prevailing color in the new cafe is green and on the walls are prettily framed etchings and pictures. On the Ewa side are four tables while the Waikiki side is divided off into four commodious rooms where parties of from four to six may enter and be shut off from the view of those dropping in from time to time. There are electric lights everywhere and electric push buttons to summon the waiters. If wine or beer is desired, the guests of the cafe may have it without delay for, as has been said, the Progress saloon, also owned by Mr. McTigue, is just next door.

It should be remembered that the cafe opens tomorrow. Mr. McTigue hopes his friends will pay him a call. It is his belief that the place will succeed because there is nothing of the kind in the vicinity and it fills a long felt want.

The day Mark Twain received the degree of doctor of laws from the University of Missouri, the Philadelphia North American telegraphed him: "How does it feel to be an LL.D.?" In an hour or two came this reply: "It feels like official emancipation from ignorance and vice."

WOMAN HAD NO HOME

AND SOUGHT PROTECTION WITHIN PRISON WALLS

PATHETIC INCIDENT AT OAHU PRISON—PORTO RICAN MOTHER WAS HOMELESS AND WITHOUT FOOD

Jailor Henry of the Oahu prison tells of quite a pathetic incident which happened inside the walls of that grim edifice. Early this morning a young Porto Rican woman knocked at the gate of the prison and asked that she be let in.

She was taken to Mr. Henry in his office. She was a young well-built and rather handsome woman and much cleaner than it is generally the wont of her nationality to be. She stated that her husband was in jail and that she was homeless and had had nothing to eat for several days. She complained of severe pains and Mr. Henry, seeing at a glance what the trouble was, had a room fixed up for her.

His action was in high time, for about half an hour later the woman gave birth a healthy eight-pound girl. The kindly jailor immediately did everything he could for the woman and the child. A doctor was summoned and clothes brought for the child.

Mr. Henry is now in much of a quandary regarding the new prisoner. First of all, he fears that Mr. Brooks will come around with a writ of habeas corpus. Besides this, there is a question as to whether High Sheriff Brown or Mr. Henry shall be the god-father of the child. It is however practically decided that the young lady shall be called Henrietta. Notwithstanding the uncertainty of the legal status of the young lady in question, Mr. Henry intends to take care of her and the mother in the jail until he finds some other way of having them cared for.

STEAM PIPE BROKE

The steamer Nihau arrived in port from Hawaii at 11:10 a. m. today with 2900 bags sugar, 512 bags coffee, 1 horse and 1 pig. The Honolulu Sugar Co. will start grinding on Monday. Plenty of rain in Hamakua.

During the voyage the Nihau met with quite a severe accident, her main steam pipe opening up right at the principal point. The steamer had to run up to Waipio gulch where she lay until temporary repairs were completed. Even after these repairs had been made the engineers would not risk having more than 75 pounds pressure while the steamer generally uses 125 pounds. As a consequence the Officer dared not risk going on the Kauai run which this had to be given up.

Hilaire Belloc, whose peculiarly vivid method of presenting his story has made his "Robespierre" so talked about this spring, was once a French artilleryman. He belonged to the 8th Regiment and his post of duty was the driver's seat of a gun carriage where he is said to have handled the reins with conspicuous ability. What this means in point of nerve and skill will be apparent to every one who has seen rapid artillery maneuvers.

Booker T. Washington, the famous negro educator, declines to go on the lecture platform, though he has received several offers of \$1000 a week to do so. He does not think he could fill such an engagement and do justice to his Tuskegee school at the same time. Mr. Washington also refuses to talk politics, saying he has already furnished the newspapers with more political matter than he desired.

S. S. ALAMEDA, September 3. Next Express Steamer to Coast. Express Closes 10 a. m. Day of Sailing. Wells, Fargo & Co. Express. TEL. MAIN 199. Masonic Temple, with American Messenger Service.

REPORT IS CONFIRMED

HELENE OFFICERS IN EARTHQUAKE SHOCKS

VERY QUIET LAKE HAS FORMED IN CRATER OF HALEMAU MAU—PAPAALOA EXPERIENCE.

The officers of the Wilder steamer Helene, which arrived in port from Hawaii early this morning, confirm the report received in this city by wireless telegraph yesterday that a large 400 feet in diameter has formed in Kilauea. They had, however, been unable to ascertain any further particulars. The officers of the Helene have, however, another story of seismic activity on the Big Island which they themselves can vouch for.

On Tuesday night and Wednesday morning of this week, the steamer was lying at Papaaloa where she had been engaged in loading sugar during the day. At 7 o'clock in the evening when all the officers were at supper the sudden shock of earthquake was felt. This was followed by numerous aftershocks, the disturbance lasting from 7 till 9 o'clock in the evening.

Some of the shocks felt were quite severe and lasted from 15 to 20 seconds. These greater disturbances came at intervals, two or three generally following each other in rapid succession. Then there would be a lull for some time, whereupon two or three greater shocks would again be felt.

In the intervals between the latter shocks, numerous smaller shocks could be felt almost continually. At about 9 o'clock the disturbances ceased and no more was noticed on board the steamer.

When the people from the steamer went ashore the next morning they heard from the residents of Papaaloa that some seven shocks had been felt there at about 3 o'clock in the morning, coming in the same manner as those which had been felt by the men on board the steamer.

ATTEMPTED SUICIDE

The officers of the steamer Helene which arrived from Hawaii this morning, brings the news that Takamoto, the Japanese who was found with his throat cut and his breast badly lacerated at Kawaiaha on Saturday, August 16, is now recovering from his injuries and that there is every assurance that he will survive his awful wounds.

It will be remembered that when Takamoto was found seemingly mortally wounded, a native by the name of Kapele with whom the injured man had had trouble on several occasions previous to the stabbing of the Japanese, was arrested, there being a strong suspicion that he had committed the deed.

The officers of the Helene state that it has now been ascertained that Takamoto inflicted the terrible wounds upon himself for the purpose of ending his life. The unfortunate man had been despondent and sick and had been drinking heavily for some time prior to the day of his attempted suicide. Kapele has, of course, been released.

Vassil Verezhagin, who is painting a big picture of Colonel Roosevelt climbing San Juan hill, has gone to Cuba in order to secure exact tints of foliage to be found there. He has been working for some time from sketches taken on the scene, but President Roosevelt and others who were officers in that action have viewed the picture in its present state of advancement and all have noted the absence of brilliant foliage which they saw there. So the painter has gone to Cuba again.

Quietly and without any blow of trumpet Mrs. A. A. Anderson has given \$100,000 to build free baths in one of New York's tenement districts. Nothing was known about the gift until all arrangements had been completed and the work was begun.

MRS. NOBLE CLAIMED

DEFENCE OF HOME

The case of Mrs. Louana Noble, charged with having committed an assault and battery upon J. H. Cummings, up a number of questions in the Police Court this morning.

Cummings testified that he had bought at auction a place in which, as he found out after the sale, Mrs. Noble claims a third as her dower. He had gone in on the place yesterday to water the flowers when Mrs. Noble had attacked him with a whip and a stick which she had used alternately with such effect that the complainant who is not very strong, suffered quite painful effects.

Mrs. Noble denied that she had struck Cummings and stated that she had repeatedly told him to get off the place which belonged to her, as she was a widow of Mr. Hunt to whom the place belonged and in execution of a mortgage on the place by whom the place was sold at auction to Mr. Cummings.

Both the defendant and the plaintiff went into detailed accounts of their rights to the premises and as it was not within the jurisdiction of the court to decide to whom the place belonged, it consequently could not be decided which of the two was the trespasser. Finally the defendant was discharged.

THE AUTO WENT WILD

Cushman Carter had quite an experience with an automobile yesterday which is liable to turn his taste in favor of reliable horseflesh instead of cranky machinery. Carter has lately been practicing as chauffeur with an automobile. Yesterday afternoon he took a ride in it to Waikiki, where he met two friends whom he invited for a ride around the park. The friends accepted, got in the carriage and young Carter steered the vehicle around in Kapiolani Park. For some time all went well, but suddenly as he wanted to turn a corner the steering gear got mixed up and the automobile ran against a tree.

The shock sent the passengers flying out of the carriage, and, as luck would have it, right into the slimy depth of a lagoon which was close by. The water was not very deep, but the mud was; and when the passengers climbed out covered with mud and green slime, it is probable that they did not compliment the driver on his art.

Carter himself hung on to the steering wheel and escaped with a few bruises on his legs. The automobile escaped with small injury.

Arabella Kenealey, now writing "syndicate" romances, is the daughter of the famous Dr. Kenealey, once member of Parliament and attorney for the Tichborne claimant.

FOURTH TO GIVE REPRESENTATION

Favorable Action At Meeting Held Noon Today.

PORTUGUESE WILL BE ALLOWED ONE MAN

THE MCLELLAN RESOLUTION OF YESTERDAY TURNED DOWN. CAMARAS SENDS LETTER TO DISTRICT COMMITTEE.

The adjourned meeting of the Fourth District committee for the consideration of the question of Portuguese representation on the legislative ticket of the Republican party was held in the assembly hall above Castle & Cooke's at the noon hour today. The delegates were somewhat late in arriving so that it was not until 12:15 o'clock that the meeting was finally called to order. J. P. Cooke was in the chair and William Savidge was at the secretary's desk. Among those present were the following: J. P. Cooke, Wm. Savidge, D. P. R. Isenberg, W. C. Roe, N. E. Gedge, H. Murray, H. Peters, W. Aylett, Ernest Ross, G. B. McClellan, Samuel Johnson, F. J. Church, George Smithies, John Waterhouse, J. H. Craig, F. M. Brooks, Major Ziegler, L. H. Wolf, G. W. R. King, J. H. Fisher (not a member), C. B. Wilson, S. Kall, Kamaea, Kamaea, Kellia-a, Nahalau, Okun, J. Rosa, Chas. Huestace Jr., Ed. Duvauchelle and Charles Costa.

The chair announced that the minutes of yesterday's meeting not having been prepared, these would have to be left over for reading until the next meeting. He then called for the resolution introduced by Mr. McClellan yesterday and when it had been read, Mr. Craig asked if it was the same one that had been handed in yesterday. The reply was in the affirmative. Mr. Brooks then moved that the resolution be laid on the table. This was seconded by Mr. Craig and the motion carried almost unanimously. Messrs. McClellan and Roe being the only ones voting in the negative.

This matter having been disposed of the chair read the following communication from Major Camara with reference to remarks made by Major Ziegler at the meeting of yesterday:

Honolulu, H. T., August 29, 1902. J. P. Cooke, Esq., Chairman Fourth District Committee.

(Continued on Page 5.)

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